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13 **UNITED STATES DISTRICT COURT**

14 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

15
16 CHIPPENDALES USA, LLC,
17 Plaintiff,

18 v.

19 JESUS "JESSE" BANERJEE dba
20 EASEBE ENTERPRISES INC.,

21 Defendant.
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23
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CASE NO.: 2:23-cv-03672-PA (PDx)
Hon. Percy Anderson

**NOTICE OF MOTION AND
MOTION FOR DEFAULT
JUDGMENT AGAINST
DEFENDANT JESSE BANERJEE**

Hearing Date: August 21, 2023
Time: 1:30 p.m.
Courtroom: 9A

Complaint Filed: May 12, 2023

1 PLEASE TAKE NOTICE that on Monday, August 21, 2023, at 1:30 p.m. or as
 2 soon thereafter as this matter may be heard before the Honorable Percy Anderson in
 3 Courtroom 9A of this Court located at 350 W. 1st Street, Los Angeles, California
 4 90012, Plaintiff Chippendales USA, LLC ("Plaintiff") will move this Court for entry
 5 of a default judgment against Defendant Jesus "Jesse" Banerjee d/b/a Easebe
 6 Enterprises Inc. ("Defendant"), pursuant to Federal Rule of Civil Procedure 55(b)(2).

7 This Motion is made on the following grounds: (1) service was properly effected
 8 on Defendant; (2) a default has been entered against Defendant based on his failure to
 9 respond to the Complaint; (3) the Court has personal jurisdiction over Defendant and
 10 subject matter jurisdiction over the claims asserted by Plaintiff; (4) all of the factors set
 11 forth in *Eitel v. McCool*, 782 F.2d 1470, 1471 (9th Cir. 1986), favor entry of a default
 12 judgment; (5) a permanent injunction is necessary to prevent the irreparable harm to
 13 Plaintiff caused by Defendant's infringement, counterfeiting, dilution, and unfair
 14 competition; (6) Plaintiff is entitled to at least \$50,000 in statutory damages, as well as
 15 attorneys' fees and costs, under the Lanham Act; and (7) Plaintiff is entitled to a
 16 judgment declaring, *inter alia*, that Plaintiff is the sole owner of the CHIPPENDALES
 17 trademarks.

18 This Motion is based upon this Notice, the concurrently-filed Memorandum of
 19 Points and Authorities, the Declaration of Evan S. Nadel, all pleadings and papers on
 20 file, and such oral argument as may be heard at the hearing on this Motion.

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 22 DATED: July 19, 2023

Respectfully submitted,

KILPATRICK TOWNSEND & STOCKTON LLP

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 25 By: /s/ Evan S. Nadel
 EVAN S. NADEL

26 Attorneys for Plaintiff,
 27 CHIPPENDALES USA, LLC
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